

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

MICHELLE ANN CICCARELLA et al.,:
individually on behalf of all others similarly:
situated,

Plaintiffs,

– against –

CALIFIA FARMS, LLC,

Defendant.

Case No.: 7:19-cv-08785-CS

**PLAINTIFFS' UNOPPOSED NOTICE OF MOTION AND MOTION FOR
PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT, PRELIMINARY
CERTIFICATION OF SETTLEMENT CLASS, AND APPROVAL OF NOTICE PLAN**

Plaintiffs Michelle Ann Cicciarella, Tanasha Rietdyk, Daniel Mitchell, Adriana Pena, Kayla Villanueva, and Kristen Landeros (“Plaintiffs”) respectfully move this Court for an Order preliminarily approving the proposed class action settlement filed concurrently with this motion on December 13, 2019 (“Settlement”), approving the form of notice, and scheduling the final approval hearing as set forth in the Settlement Agreement¹ attached as Exhibit 1 to the Declaration of Michael R. Reese filed concurrently on December 13, 2019 (“Reese Declaration”). Specifically, the Parties ask that the Court enter the proposed Order, thereby:

1. certifying the Settlement Class and appointing Plaintiffs as the class representatives and their counsel as Class Counsel;
2. preliminarily approving the Settlement Agreement;
3. approving the form and manner of the class action settlement notice;
4. preliminarily certifying the Settlement Class for purposes of settlement only;
5. appointing KCC, LLC as Settlement Administrator and direct it to commence the Notice Plan; and
6. scheduling a Final Approval Fairness Hearing to consider final approval of the Settlement.

In support of this Unopposed Motion, Plaintiff relies on the attached Memorandum of Law, as well as the Declaration of Michael R. Reese, and the Declaration of Carla A. Peak, and their supporting exhibits, all documents filed therewith.

¹ Unless otherwise indicated, capitalized terms shall have the same meaning as they do in the Settlement Agreement.

Respectfully submitted on this 13th day of December, 2019.

REESE LLP

By: /s/ Michael R. Reese
Michael R. Reese
100 West 93rd Street, 16th Floor
New York, New York 10025
Telephone: (212) 643-0500
Facsimile: (212) 253-4272
mreese@reesellp.com

SHEEHAN & ASSOCIATES, P.C.

Spencer Sheehan
505 Northern Blvd., Suite 311
Great Neck, New York 11021
Telephone: (516) 303-0552
Facsimile: (516) 234-7800
spencer@spencersheehan.com

Proposed Class Counsel